

## MEMORANDUM OF NON-DRILLING OIL AND GAS LEASE

The under John M. Stephens and Beverly J. Stephens, his wife; Chelsey J. Stephens, a single <sup>West Virginia</sup>  
woman of RR3 Box 541a, Wheeling, WV 26003 as Lessor  
 and **TriEnergy Holdings, LLC, P.O. Box 89, Sewickley, PA 15143**, as Lessee, entered into an Oil and  
 Gas Lease as of the 1<sup>st</sup> day of February, 2011. Said lease covers all that certain tract of land  
 situate in the District of Union, in Marshall County, State of West Virginia, bounded and  
 described generally as follows:

On the North by: n/f:

On the East by: n/f:

On the South by: n/f:

On the West by: n/f:

Tax Parcel No: 13-7a-28.1

Containing .70 acres, more or less, being the same land conveyed by \_\_\_\_\_  
 and recorded in the records of  
 said county in Book 663, Page 196.

Under the terms of the aforesaid lease, the said property was leased by Lessor to Lessee for a term of Five (5) years from the date thereof and so long thereafter as oil or gas are produced from said land in paying quantities or the lease is otherwise maintained pursuant to the provisions thereof.

Under the terms of said lease, the Lessee has a first option to renew the lease for a further like term, which option must be exercised within sixty (60) days of the expiration of the initial primary term of said lease.

Dated: February 1<sup>st</sup>, 2011.

WITNESS:

LESSOR:

John Stephens (SEAL)  
**John Stephens**

Beverly Stephens (SEAL)  
**Beverly Stephens**

Chelsey Stephens (SEAL)  
**Chelsey Stephens**

Approved by:

Joseph E. Bojalad, President

**TriEnergy Holdings, LLC**

Jan Pest  
 MARSHALL County 10:05:31 AM  
 Instrument No 1303119  
 Date Recorded 04/15/2011  
 Document Type O&G  
 Pages Recorded 2  
 Book-Page 729-373  
 Recording Fee \$5.00  
 Additional \$6.00

**TRIENERGY HOLDINGS, LLC**  
**PO BOX 89**  
**SEWICKLEY PA 15143**

State of

WV

County of

Marshall

SS: J. S.

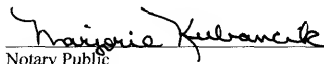
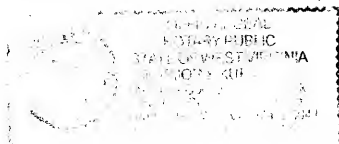
AT B. S.  
Stephens

On the 1st day of Feb in the year 2011, before me, the undersigned, a Notary Public in and for said state, personally appeared John M. Stephens and Beverly J. Stevens, his wife; Chelsey J. Stephens, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:

Feb 24, 2013

  
 Notary Public


-----  
 CORPORATION

State/Commonwealth of: PennsylvaniaCounty of: Allegheny

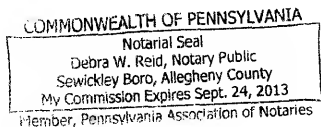
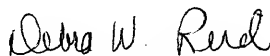
SS:

Before me a Notary Public in and for said county and state personally appeared: Joseph E. Bojalad the President of TriEnergy Holdings, LLC, the above named corporation, who acknowledged to me that they did execute the foregoing instrument for and on behalf of said corporation, pursuant to authority so to do of said corporation and that the same is the free act and deed of said corporation and of themselves as such officers, for the uses and purposes therein set forth.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at Sewickley, PA this 6th day of April, 2011.

My Commission expires:

9/24/2013

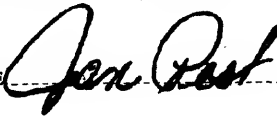



Notary Public

## STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, IAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 1st day of February, 2011, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 15th day of April, 2011 at 10:05 o'clock A.M.

TESTE



Clerk.